

REMARKS

This Amendment and Reply is intended to be completely responsive to the Non-Final Office Action mailed September 8, 2009. Applicants respectfully request reconsideration of the present Application in view of the foregoing amendments and in view of the reasons that follow. Claims 2-6, 8-10, 12, 13, 15-17, 19 and 20 were previously canceled without prejudice to further prosecution on the merits. Claims 1, 11 and 14 have been amended for clarity. New Claims 21-33 have been added to provide claims of varying scope. No new matter has been added. Accordingly, Claims 1, 7, 11, 14, 18 and 21-33 will be pending in the present Application upon entry of this Amendment and Reply.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the Application, is presented, with an appropriate defined status identifier.

Specification

On page 2 of the Detailed Action, the Examiner objected to the disclosure for allegedly including an informality in the Abstract. Specifically, the Examiner stated that the term “disclosed” in line 2 of the Abstract should be changed to “described.” In response, Applicants have amended the Abstract in accordance with the recommendation of the Examiner. A new Abstract is attached to this Amendment and Reply for insertion after the claim pages of the application to replace the previously submitted Abstract. Accordingly, Applicants respectfully request withdrawal of the objection to the Specification.

Claim Objections

On page 3 of the Detailed Action, the Examiner objected to Claims 1, 7, 11, 14 and 18 for allegedly including certain informalities. Specifically, the Examiner stated that the commas in lines 14 and 17 of Claim 1 and in line 13 of Claim 11 should be deleted. The Examiner also stated that the commas in line 18 of Claim 1 and line 20 of Claim 11 should each be changed to a

semicolon. The Examiner further stated that the first occurrence of the term “relative” in lines 14 and 17 of Claim 1, lines 13 and 19 of Claim 11 and line 17 of Claim 14 should be deleted. In response, Applicants have amended Claims 1, 11 and 14 in accordance with the recommendations of the Examiner. Accordingly, Applicants respectfully request reconsideration and withdrawal of the objections to Claims 1, 7, 11, 14 and 18.

Claim Rejections – 35 U.S.C. § 103

On pages 4-8 of the Detailed Action, the Examiner rejected Claims 1, 7, 11, 14 and 18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,580,118 to Crotty (“Crotty”) in view of Japanese Patent No. 2002127819 to Gokuritsu (“Gokuritsu”). This rejection should be withdrawn because Crotty, whether taken alone or in proper combination with and Gokuritsu, fails to disclose, teach or suggest the claimed invention for at least the reasons set forth in the Amendment and Reply filed on August 7, 2009.

The Examiner did not find Applicants’ previous arguments to be persuasive because the Examiner alleged that Applicants understanding of Gokuritsu was incorrect. In the Amendment and Reply filed on August 7, 2009, Applicants noted that Gokuritsu does not disclose, teach or suggest a first sliding element that cooperates with a second sliding element for locking a frame relative to the structural part, at least relative to a movement perpendicular to the plane. The Examiner has identified the “third engagement part 8” and the “mounting means 13” in Gokuritsu as disclosing first and second sliding elements. Applicants pointed out that even if the “third engagement part 8” and the “mounting means 13” are considered to be analogous to the first and second sliding elements, the engagement of these structures does not lock a frame to a structural part at least relative to a movement perpendicular to a plane in which the sliding elements are configured to slide, as required by independent Claims 1, 11 and 14. In contrast, Gokuritsu discloses the use of “nail means 12” to lock the “lamp body 1” to the “body 2” relative to a movement perpendicular to a plane in which the “third engagement part 8” slides relative to the “mounting means 13” (see Figure 5). Rather than providing a locking function, the “third engagement part 8” is a spacer or filler that deforms when engaged with the “mounting means

13” to resist the locking force of “nail means 12.” Without the presence of the “nail means 12,” the “lamp body 1” would not be locked to the “body 2” in a direction perpendicular to the sliding movement of the “third engagement part 8.” As such, Applicants submitted that Gokuritsu does not disclose, teach or suggest sliding elements that slide along a plane to achieve the interconnection and also provide a locking function in a direction perpendicular to the plane.

In response to Applicants arguments, the Examiner stated:

This is a wrong understanding of Gokuritsu. The third engagement means do not deform, rather they force the mounting means to compress the roof liner tight against the skeletal member. When the lamp body is in its final position (i.e. the snap-in connection is set), the nail means (12) is no longer touching the rim (5b) edge (7). This edge is only employed during the initial insertion to hold the lamp body prior to the sliding motion. The sliding motion causes the mounting means to contact the third engagement means, slide up the face of the engagement means, and then reach their final position above the non-deformed engagement means. This final position can best be seen in Figure 3, wherein the nail means (12) is shown risen off of the edge (7) due to the mounting means (13) resting atop the non-deformed third engagement means (8).

Applicants continue to believe that its previous interpretation of Gokuritsu is accurate, and that the Examiner’s interpretation Gokuritsu is based on an incorrect reading of what is shown in Figure 3. Applicants submit that Figure 3 does not show the “nail means 12” risen off the “second engagement means 7.” Rather, Figure 3 shows the “nail means 12” engaged with the “second engagement means 7,” just as it is shown to be engaged with the “second engagement means 7” in Figure 5. In Figure 3, the horizontal line on the “nail means 12,” that is above the “second engagement means 7,” is not a bottom edge of the “nail means 12,” but rather is the point of the “nail means 12,” which is also shown in Figure 5 as being offset from the “second engagement means 7.” Accordingly, Applicants resubmit that Gokuritsu discloses the use of “nail means 12” to lock the “lamp body 1” to the “body 2” relative to a movement perpendicular to a plane in which the “third engagement part 8” slides relative to the “mounting means 13.” The connecting movement between the “nail means 12” and the “second engagement means 7” is

in a direction that is perpendicular to the sliding movement of the “third engagement part 8” relative to the “mounting means 13.” As such, Gokuritsu does not disclose, teach or suggest the connection configuration disclosed in independent Claims 1, 11 and 14. To further assist in the interpretation of Gokuritsu, Applicants have obtained a computer generated translation of Gokuritsu from the IP Gazettes of the Japan Patent Office. The translation appears to support Applicants interpretation of Gokuritsu. For example, in paragraph [0023], the “third engagement means 8” is described as being formed of a flat spring material that changes form to accommodate roof trims of various thicknesses. A copy of the translation is being submitted in a Information Disclosure Statement being filed concurrently with this Amendment and Reply.

Accordingly, in view of the above, Applicants once again submit that Gokuritsu does not correct the deficiencies of Crotty, which the Examiner previously acknowledged as being:

Crotty, III does not expressly disclose that the frame is locked to the structural part with at least one of the body part and the decorative material therebetween, at least relative to a movement perpendicular to the plane, at least one of the first set of sliding elements and the second set of sliding elements being in the plane, the first set of sliding elements and the second set of sliding elements being arranged to be locked by a connecting movement of one of the frame and the structural part, relative to the other, the connecting movement being carried out in the plane and in a direction substantially tangential to the at least one main extension direction of the frame; nor a snap in connection provided between the frame and the structural part for locking the frame to the structural part relative to a movement in the plane.

Accordingly, Applicants respectfully request withdrawal of the rejection of independent Claims 1, 11 and 14 because at least one element of such claims is not disclosed, taught or suggested by Crotty, whether taken alone or in proper combination with and Gokuritsu. Claim 7, which depends from independent Claim 1, and Claim 18, which depends from independent Claim 14, are allowable therewith for at least the same reasons set forth above. Reconsideration and withdrawal of the rejection of Claims 1, 7, 11, 14 and 18 is respectfully requested.

New Claims

Applicants have added new Claims 21-33 to provide claims of varying scope. New Claims 21-26, which depend from independent Claim 14, Claims 27-32, which depend from independent Claim 1, and Claim 33, which depends from independent Claim 11, are allowable therewith at least because of their dependency, without regard to the further patentable subject matter set forth in such claims. Consideration and allowance of new Claims 21-33 is respectfully requested.

* * *

Applicants respectfully submit that each and every pending rejection has been overcome, and that the present Application is in a condition for allowance. In particular, even when the elements of Applicants' claims, as discussed above, are given a broad construction and interpreted to cover equivalents, the cited references do not teach, disclose, or suggest the claimed subject matter. Favorable reconsideration of the Application is respectfully requested.

Further, Applicants respectfully put the Patent Office and all others on notice that all arguments, representations, and/or amendments contained herein are only applicable to the present Application and should not be considered when evaluating any other patent or patent application including any patents or patent applications which claim priority to this patent application and/or any patents or patent applications to which priority is claimed by this patent application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, the Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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